

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MELVIN RAY LEWIS,

Plaintiff,

v.

STATE OF CALIFORNIA, *et al.*,

Defendants.

Case No. 2:21-cv-01575-DAD-JDP (PS)

ORDER TO SHOW CAUSE


On May 19, 2022, the court screened plaintiff's complaint and notified him that it failed to state a claim. ECF No. 3. I gave plaintiff thirty days to file an amended complaint. After plaintiff failed to timely file an amended complaint, I ordered him to show cause why this case should not be dismissed for failure to prosecute and failure to state a claim. ECF No. 6. Instead of filing an amended complaint, plaintiff filed both a notice indicating that his complaint had never been "ruled upon" and that charges pending against him in the Shasta County Superior Court had been dropped, ECF No. 7, and a request for status, ECF No. 8.

On December 13, 2023, I directed the Clerk of Court to send plaintiff a courtesy copy of the May 19, 2022 order and allowed plaintiff thirty days to file an amended complaint. Plaintiff has not filed an amended complaint or otherwise responded to the court's December 13, 2023 order.

1 Out of an abundance of caution, the court will give plaintiff one final an opportunity to
2 explain why this case should not be dismissed for failure to file an amended complaint.
3 Plaintiff's failure to respond to this order will constitute a failure to comply with a court order and
4 will result in a recommendation that this action be dismissed. Accordingly, plaintiff is ordered to
5 show cause within fourteen days why this case should not be dismissed for failure to prosecute
6 and failure to state a claim. Should plaintiff wish to continue with this lawsuit, she shall file,
7 within fourteen days, an amended complaint.

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9 IT IS SO ORDERED.

10 Dated: February 6, 2024


11 JEREMY D. PETERSON
12 UNITED STATES MAGISTRATE JUDGE
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